

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,

Appellee,

v.

CASE NO.: 15-4542

ROBERT CRENSHAW,

Appellant.

**APPELLANT'S MOTION TO EXTEND TIME
TO FILE OPENING BRIEF AND JOINT APPENDIX**

COMES NOW the Appellant, Robert Crenshaw, by counsel, and moves the Court for a three-week extension of time to file his opening brief and joint appendix in the above-captioned appeal. In support thereof, the Appellant states the following:

1. This appeal arises from the Appellant's conviction for distribution of drugs near a protected location. The Appellant was convicted pursuant to a plea agreement. On August 20, 2015, he was sentenced to a term of imprisonment of 46 months.

2. The undersigned counsel was appointed to represent the Appellant on his appeal, but did not represent him before the district court.

3. Pursuant to the Court's Briefing Order [Doc 19], the Appellant's opening brief and joint appendix are currently due on December 22, 2015.

4. Shortly after the undersigned counsel's appointment, the Appellant was transferred from the custody of the Bureau of Prisons to the Commonwealth of Pennsylvania pursuant to a writ of *ad prosequendum*. Since the Appellant's transfer to state custody, the undersigned

counsel has experienced difficulty communicating with the Appellant regarding his appeal. The difficulties included the Appellant being in-transit for a period of time, his mail being returned by the state jail even though he was in custody there, and the state authorities not providing him with the psychiatric medication which he was receiving while in federal custody. As a result, the undersigned counsel has not had sufficient time to communicate with the Appellant regarding his appeal.

5. In addition, the undersigned counsel desires a short extension of the briefing schedule because he will be attending his daughter's college graduation this weekend and would like to be able to take off work next week for Christmas.

6. The briefing schedule in this matter has not been previously extended.

7. Counsel for the United States, Assistant United States Attorney Zelda Wesley, has advised the undersigned counsel that the United States does not oppose this motion.

Wherefore, the Appellant respectfully requests that the Court extend the time for him to file his opening brief to January 12, 2016.

APPELLANT
By Counsel

POWER, BECK & MATZUREFF

/s/Barry P. Beck
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CERTIFICATE OF SERVICE

I, Barry P. Beck, counsel for the Appellant, hereby certify that on the 17th day of December 2015, that I served the required copies of the foregoing **APPELLANT'S MOTION TO EXTEND TIME TO FILE OPENING BRIEF AND JOINT APPENDIX** upon the following using the CM/ECF system which will send notification of such filing to the following:

COUNSEL SERVED:

Zelda E. Wesley, Esquire
Assistant United States Attorney
United States Attorney's Office – NDWV
320 West Pike Street, Suite 300
Clarksburg, WV 26301

/s/Barry P. Beck

Barry P. Beck
Counsel for the Appellant